

# EXHIBIT “A”

IN RE TESLA INC. SECURITIES LITIGATION, Case No. 18-cv-04865 (EMC)  
PLAINTIFF'S SECOND REVISED PROPOSED VERDICT FORM

**VERDICT FORM**

**A. RULE 10B-5 CLAIM: LIABILITY**

**Statement No. 1: "Am considering taking Tesla private at \$420. Funding secured."**

1. Have Plaintiffs proved their Rule 10b-5 Claim against Elon Musk for Statement No. 1 identified above?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

2. Have Plaintiffs proved their Rule 10b-5 Claim against Tesla Inc. for Statement No. 1 identified above?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

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**Statement No. 2: "Investor support is confirmed. Only reason why this is not certain is that it's contingent on a shareholder vote."**

3. Have Plaintiffs proved their Rule 10b-5 Claim against Elon Musk for Statement No. 2 identified above?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

4. Have Plaintiffs proved their Rule 10b-5 Claim against Tesla Inc. for Statement No. 2 identified above?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

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IF YOU CHECKED "YES" FOR ONE OR MORE QUESTIONS IN  
STATEMENT NOS. 1 OR 2, PROCEED TO THE NEXT PAGE.

IF YOU CHECKED "NO" FOR EVERY QUESTION IN  
STATEMENT NOS. 1 AND 2, PROCEED TO SECTION E ON PAGE 8.

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**B. RULE 10B-5 CLAIM: DAMAGES**

1. Determine the amount of artificial inflation per share of Tesla stock proved by Plaintiffs on each date during the Class Period and write it in the table below.

	07-Aug	08-Aug	09-Aug	10-Aug	13-Aug	14-Aug	15-Aug	16-Aug	17-Aug
(\$/share)	\$__.	\$__.	\$__.	\$__.	\$__.	\$__.	\$__.	\$__.	\$__.

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2. Determine the “but for” implied volatility percentages proved by Plaintiffs for each option contract maturity date during the Class Period and write it in the table below.

		Day of Class Period at Close of Market							
		07-Aug	08-Aug	09-Aug	10-Aug	13-Aug	14-Aug	15-Aug	16-Aug
Maturity Date	Aug 10, 2018	____%	____%	____%	NA	NA	NA	NA	NA
	Aug 17, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Aug 24, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Aug 31, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Sep 7, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Sep 14, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Sep 21, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Sep 28, 2018	NA	NA	____%	____%	____%	____%	____%	____%
	Oct 19, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Nov 16, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Dec 21, 2018	____%	____%	____%	____%	____%	____%	____%	____%
	Jan 18, 2019	____%	____%	____%	____%	____%	____%	____%	____%
	Feb 15, 2019	____%	____%	____%	____%	____%	____%	____%	____%
	Mar 15, 2019	____%	____%	____%	____%	____%	____%	____%	____%
	Jun 21, 2019	____%	____%	____%	____%	____%	____%	____%	____%
	Aug 16, 2019	____%	____%	____%	____%	____%	____%	____%	____%
	Jan 17, 2020	____%	____%	____%	____%	____%	____%	____%	____%

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3. Determine the amount of artificial inflation per Tesla corporate bond proved by Plaintiffs on each date during Class Period and write it in the table below.

	07-Aug	08-Aug	09-Aug	10-Aug	13-Aug	14-Aug	15-Aug	16-Aug	17-Aug
2019 Note									
2021 Note									
2022 Note									

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**C. SECTION 20(A) CLAIM: LIABILITY**

*If you answered "Yes" to one or more of questions 2 or 4 in Section A, please answer the following question.*

1. Have Plaintiffs proved their Section 20(a) Claim against any of the Tesla directors (check all that apply)?

Brad W. Buss:	Yes: _____	No: _____
Robyn Denholm:	Yes: _____	No: _____
Ira Ehrenpreis:	Yes: _____	No: _____
Antonio Gracias:	Yes: _____	No: _____
James Murdoch:	Yes: _____	No: _____
Kimbal Musk:	Yes: _____	No: _____
Linda Rice:	Yes: _____	No: _____

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**D. ALLOCATION OF RESPONSIBILITY**

1. For any Defendant whom you found liable in response to questions 1 through 4 in Section A or question 1 in Section C, did that Defendant commit a knowing violation of the federal securities laws? (Do not select "Yes" or "No" for any Defendant whom you did not find liable.)

Elon Musk:	Yes: _____	No: _____
Tesla, Inc.:	Yes: _____	No: _____
Brad W. Buss:	Yes: _____	No: _____
Robyn Denholm:	Yes: _____	No: _____
Ira Ehrenpreis:	Yes: _____	No: _____
Antonio Gracias:	Yes: _____	No: _____
James Murdoch:	Yes: _____	No: _____
Kimbal Musk:	Yes: _____	No: _____
Linda Rice:	Yes: _____	No: _____

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2. Please decide each Defendant's share of responsibility for Plaintiffs' losses. (Only assign a percentage of responsibility to those Defendants whom you found liable. The total must add up to 100%.)

Elon Musk:	_____ %
Tesla, Inc.:	_____ %
Brad W. Buss:	_____ %
Robyn Denholm:	_____ %
Ira Ehrenpreis:	_____ %
Antonio Gracias:	_____ %
James Murdoch:	_____ %
Kimbal Musk:	_____ %
Linda Rice:	_____ %

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**E. RETURN OF VERDICT**

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2023.

PRESIDING JUROR:

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